

## **DEPARTMENT OF PLANNING & ZONING ANNUAL REPORT – FY2015**

The Department of Planning & Zoning's eight-member staff administers two essential governmental functions:

- Comprehensive land use and development planning; and
- Administration of the City's land development regulations.

Through our planning function, the Department is responsible for the preparation of long-range land use and development plans and policy including the City's Municipal Development Plan and other area-specific and issue-specific plans, conducts special studies and inventories, and researches and drafts amendments to City land development ordinances. Our work typically is accomplished in partnership with many other departments including CEDO, Parks and Recreation, Public Works, City Arts, and the Church Street Marketplace; and culminates in the adoption of City policy by the City Council.

Through our regulatory function, the Department administers all permitting and development review functions under the City's *Comprehensive Development Ordinance*, which includes both zoning and subdivision regulations. In this process we collaborate closely in the administration of other development-related codes such as rental housing and zoning compliance/enforcement (Code Enforcement), construction permits (DPW-Inspection Services Division), and liquor licenses (City Council).

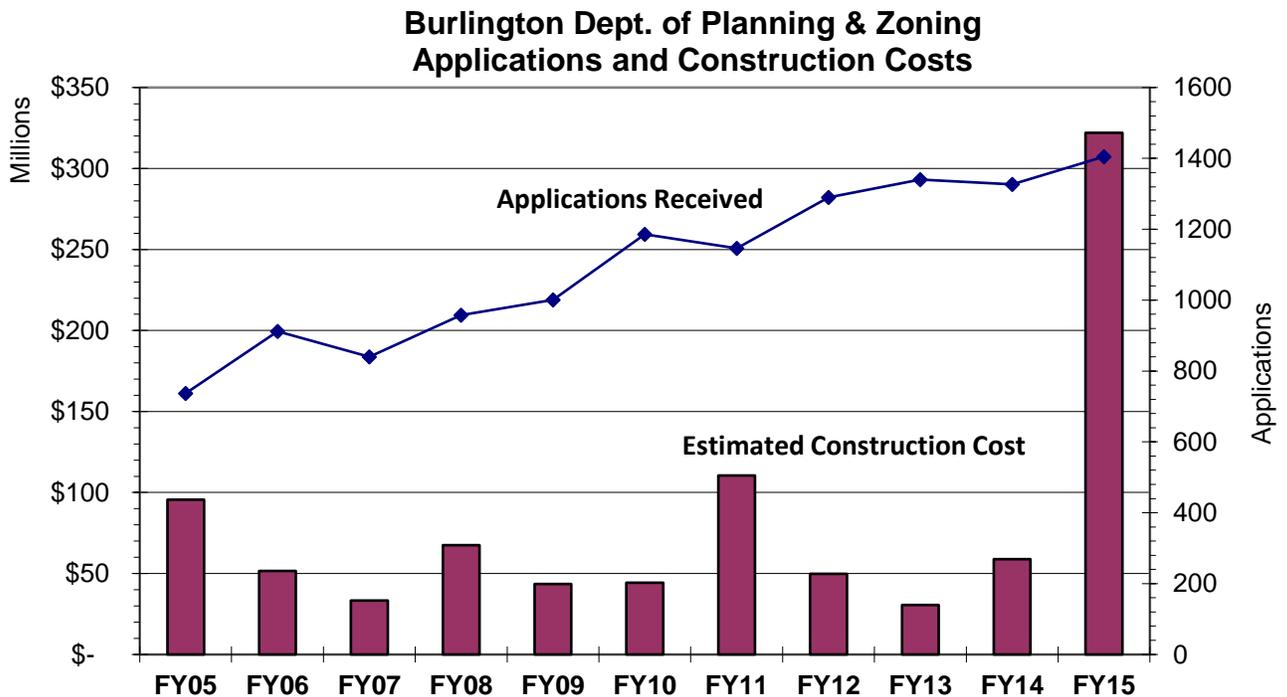
In support of these responsibilities and the work of many other City departments, our staff plays a key role in managing the City's Geographic Information System (GIS) and the AMANDA permit system in collaboration with the City's Information Technology Division. GIS allows users to analyze, view, and interpret information in a way that helps to identify spatial relationships and patterns and prepare high quality maps. AMANDA is integral to managing several of the City's property information (Land Records and Assessor), permitting (zoning and construction), and code enforcement (minimum housing, public health, vacant buildings and zoning) processes.

The Department's work is guided by a seven-member Planning Commission whose volunteer members formulate land use and development policy and regulations for consideration by the City Council. Another 25 citizen volunteers participate in the development review process as members of the Development Review Board (DRB), Design Advisory Board, and Conservation Board, playing key roles in implementing the City's land use and development regulations. Each year these volunteers dedicate hundreds of hours towards the improvement of the City, participating in more than 100 public meetings.

### **Development Review and Permitting:**

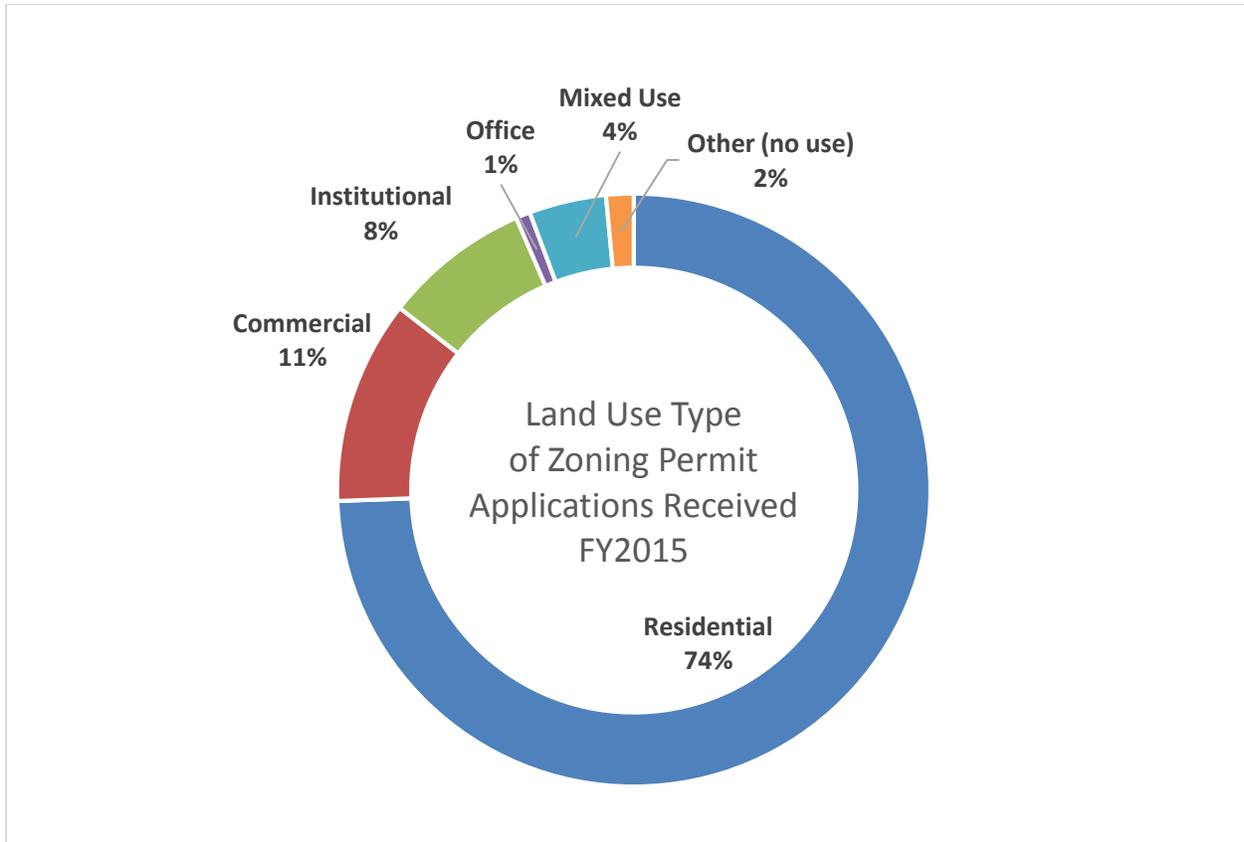
During FY15, a total of 1,405 requests for zoning permits or determinations were processed by our staff. This was the highest number of requests **ever** processed by our office in a single year – part of a steady increase over the past 10 years. Overall, 955 zoning permit applications were reviewed, with an approval rate of 98%. Reviewed projects had a total estimated construction cost of \$322 million, and proposed to add 599 new residential units (or equivalents) to the city – in both cases

the most since FY11. It should be noted however that included in this increase in both residential units and construction cost are 3 significant developments at UVM and the Medical Center.



Of this total:

- 883 permit applications (approximately 92%) were reviewed administratively (by the Planning staff) and processed within 30 days, with an approval rate of 98.5%. Another 411 administrative determinations were issued, including those indicating that a zoning permit is not required for the work proposed;
- 72 permit applications and 10 appeals of administrative decisions were reviewed by the Development Review Board (DRB), with an approval rate of 95.8%;
- 11 DRB decisions were appealed to the VT Superior Court – Environmental Division; and,
- nearly ¾ of all applications involve the creation of, or improvements to, residential properties across the city.



Among the major projects reviewed in FY15 include:

- the construction of four new residential buildings with a total of 42 new units and the rehabilitation of an existing duplex by the Champlain Housing Trust at 112-114 Archibald Street and 27 Bright Street.
- Demolition of Angell Hall and Cook Physical Science Building, and the construction of a 193,650 sqft Science, Technology, Engineering, & Math (STEM) complex by UVM.
- Renovation and addition to an existing building for 14 new residential units as part of mixed use building at 87-95 North Avenue and 7 Haswell Street by COTS.
- The addition of 12 new residential units to existing mixed use structure at 289 College St.
- Exterior renovation of Alumni House with the construction of a new pavilion, connector to the original building and improvements to the surrounding grounds at 411 Main St and 61 Summit St by UVM.
- Adaptive reuse and exterior renovation at 747 Pine Street.
- A new 699 bed dormitory for undergraduate student housing and a 500 seat dining hall at 170 Carrigan Dr. by UVM.
- Renovations for new first floor and basement commercial uses and 33 new residential units in upper floors at 185-195 College St (formerly Burlington Free Press offices).
- New 208,000 sqft Inpatient building with 128 beds west of Ambulatory Care Center at 111 Colchester Ave. by the UVM Medical Center.

The Department provides daily updates on the status of all applications currently under review on its website ([www.burlingtonvt.gov/pz](http://www.burlingtonvt.gov/pz)). This information is useful to residents who want to know about development activity proposed in their neighborhood, and for applicants who need to know when their permit has been approved and will be ready for pick-up. Permit application status information is available by street or ward, and in table or map formats. The Department is also increasingly using automated email to notify applicants when their permits are ready to be picked-up and when they are about to expire.

### **Ordinance Amendments:**

Regulation of land development is not a static process, and we are always in search of ways to make the development review process more effective and easier to use. Planning staff, working at the direction of the Planning Commission, researches and prepares draft amendments to the City's land development ordinances. Once approved by the Commission, these amendments go to the City Council for consideration and final adoption. A total of 7 amendments to the *Comprehensive Development Ordinance* were developed by staff and considered by the Planning Commission in FY15.

The Burlington *Comprehensive Development Ordinance* is available in both hardcopy and digitally on the Department's website ([www.burlingtonvt.gov/pz](http://www.burlingtonvt.gov/pz)), which also includes all pending ordinance amendments currently under consideration and those recently adopted.

### **Planning Projects:**

The basis for all land development regulation and permitting is the City's land use and development policies and plans. Planning Department staff works with the Planning Commission and other City departments in undertaking planning studies and other projects that help us to better understand and respond to emerging trends and future community needs. Below is a summary of the major planning projects Department staff have been leading over the past year:

- ***planBTV: Downtown and Waterfront Master Plan***



The Planning Department's flagship planning project has been the development of a master land use and development plan for Burlington's Downtown and Waterfront. The *planBTV: Downtown and Waterfront Master Plan* was unanimously and enthusiastically adopted by the City Council on June 10, 2013 and officially made part of the City's Municipal Development Plan.

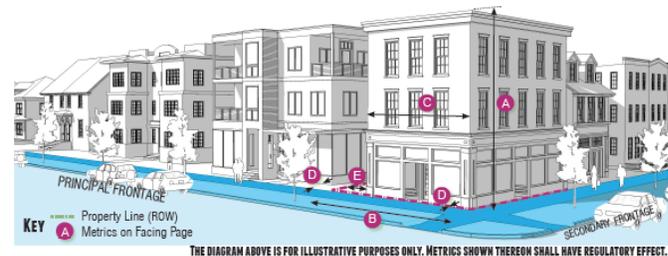
Efforts to implement the plan's vision have been ongoing including the Downtown Parking Improvement Initiative, the Public Investment Action Plan Projects on the waterfront, the

relocation and improvements to the Burlington Bike Path, the construction of the Waterfront Access North improvements, the Railyard Enterprise Project, and the development of new development regulations for the Downtown and Waterfront area (see more below). Visit the project website at [www.Burlingtonvt.gov/planbtv](http://www.Burlingtonvt.gov/planbtv) to learn more and see what's going on.

- **Downtown and Waterfront Form-Based Zoning Code**

As part of the implementation of the *planBTV: Downtown and Waterfront Master Plan*, the City is modify our zoning ordinance in order to ensure that the Plan's vision actually can get built. Among the Plan's chief recommendations is a more predictable "form-based" approach to development regulation that works to consolidate, simplify, and update zoning language to reflect the desires of the community.

Traditional use-based zoning is commonly understood as a significant driver behind the development of auto-oriented sprawl development and suburban style infill in downtowns. Form-based zoning emphasizes the physical form that new development takes, and concentrates on the space between the building and the street that make up the public realm and how people experience a place. Because of the level of detail they provide, form-based zoning codes offer greater predictability for both applicants and the community. Burlington has been using many different form-based elements in its zoning since it first implemented a Design Review process in 1973. This continued evolution towards a more comprehensive and robust form based approach for our downtown and waterfront is a logical next step.



Burlington's new form based code is focused on ensuring that new infill development fits into the existing context and scale of the downtown. Over the past year Planning staff has been working with a joint committee of Planning Commissioners and City Councilors to review and refine an early draft. The Committee has met twice per month beginning in Dec. 2014, and made a number of changes to the staff's preliminary draft. A schedule of Committee meetings and copy of the current draft is available online at [www.burlingtonvt.gov/PZ](http://www.burlingtonvt.gov/PZ). A final draft to be presented to the Planning Commission and City Council for final adoption is expected in mid-FY16.

- ***planBTV: South End Master Plan***



Building on the success of the *planBTV: Downtown and Waterfront Master Plan*, in FY15 the Planning Department began a new planning process for Burlington's South End with a particular focus on the Enterprise District. With financial support from city, state and federal sources, this process began with an information collection phase to gather background data around key issues and opportunities which has been used to inform a community conversation about the future of this dynamic and evolving part of our city. This effort has engaged hundreds of employees, employers and residents in a planning process to better understand how to protect and preserved what is most loved about the South End while proactively preparing for the continued growth and change. After significant public engagement over the winter, a draft plan was presented for public comment in June. Once the public comment period is over, the Planning Commission will review the comments and prepare another draft for release in mid-FY16. More information is available online at [www.burlingtonvt.gov/planBTV/SE](http://www.burlingtonvt.gov/planBTV/SE).



- **Planning is really a team sport!**

We are very fortunate and grateful for the opportunity to work with a team of dedicated professionals from across the City. Staff from CEDO, DPW, Parks, City Arts, the Mayor's Office and many others are critical partners for us in developing new land use and development plans. While the Planning Department plays a lead role in several projects each year, our staff also plays a supporting role in many of the important projects of other City departments. Below is a sampling:

- **Great Streets Initiative (CEDO & DPW)**
- **Housing Action Plan (CEDO)**
- **Parking Initiatives (CEDO & DPW)**
- **Railyard Enterprise District (CEDO & DPW)**
- **North Ave Corridor Study Implementation (DPW)**
- **planBTV: WalkBike (DPW)**

### Staff Changes:

All of this great work can't get done without a strong and dedicated team. FY15 saw some significant changes in the Planning staff as three members of our team moved on to pursue new adventures:

- Planning and Zoning Clerk-extraordinaire **Nic Anderson** left in the fall to become the Sustainable Transportation Coordinator for Champlain College. We are thrilled that Nic remains close-by, and continues to pursue his transportation passions and making Burlington a safer place to walk and bike. **Anita Wade** joined our team in the spring to fill the Planning and Zoning Clerk position.
- Our award-winning Comprehensive Planner **Sandrine Thibault, AICP** left us at the end of the year to (get this!) move to Bermuda and get married! Sandrine is also the new Dir. of

Municipal Services for the Town Planning and Urban Design Collaborative (TPUDC) so we will still get to work with her on regional and City projects in the future.

- Finally, after 28 years of service to the City, Assistant Director and Zoning Administrator **Ken Lerner** retired at the end of the year. Ken joined the City in 1986 and oversaw the day-to-day development review functions of the Department. In his capacity as Zoning Administrator, Ken issued literally thousands of zoning permits for everything from a new deck to a new hospital. With Ken leaving, our office has lost a significant source of institutional knowledge and history. We all wish him well and many new adventures in his much deserved retirement.